

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

UNITED STATES OF AMERICA

v.

MICHAEL TABA

**CRIMINAL CASE NO.
3:17-CR-155-L (07)**

**MOTION FOR LEAVE TO FILE DEFENDANT TABA’S AMENDED MOTION FOR
CONTINUANCE OF TRIAL AND PRETRIAL MATERIALS DEADLINES**

COMES NOW, MICHAEL TABA, defendant, by and through his counsel of record, Erin Brennan, and hereby requests leave to file Defendant Taba’s Amended Motion for Continuance of Trial and Pretrial Materials Deadlines, and in support presents the following:

1. Pretrial motions were due January 3, 2020. (Doc. 251.) The most recent criminal trial scheduling order states that no pretrial motions will be entertained unless leave to file is granted by this Court. (Doc. 540.)

2. The defense hereby requests leave to file their motion for continuance and contends that good cause exists due to a fee agreement dispute with Dr. Taba’s prior counsel which caused a significant delay in preparing for the upcoming trial. Moreover, counsel has been working as diligently as possible to avoid having to file a motion for a continuance, knowing that the Court has set a firm deadline for trial, but said motion is critical and necessary at this point. Finally, the defense attempted to be reasonable and requested as short of a continuance as possible – 30 days, not 6 months – being mindful of the Court’s availability, resources, schedule, and full docket.

3. The ends of justice would be better served if this motion is granted.

WHEREFORE, Dr. Taba respectfully requests leave to file Defendant Taba’s Amended Motion for Continuance of Trial and Pretrial Materials Deadlines.

Respectfully,

/s/ Erin Brennan

Erin Brennan

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CERTIFICATE OF CONFERENCE

I hereby certify that on August 5, 2023, I conferred with Ethan Womble, Assistant United States Attorney, concerning the foregoing motion and he advised that the government opposes said motion.

/s/ Erin Brennan

ERIN BRENNAN

CERTIFICATE OF SERVICE

I hereby certify that on August 8, 2023, I electronically filed the foregoing document using the ECF system of the United States District Court, Northern District of Texas. Pursuant to L. CRIM. R. 49.2(f), delivery of the automatically generated ECF notice constitutes service under FED. R. CRIM. P. 49(b) on the attorney(s) of record.

/s/ Erin Brennan

ERIN BRENNAN